

対内直接投資等に関する政令 Cabinet Order on Inward Direct Investment, etc.

(昭和五十五年十月十一日政令第二百六十一号)
(Cabinet Order No. 261 of October 11, 1980)

内閣は、外国為替及び外国貿易管理法（昭和二十四年法律第二百二十八号）第二十六条、第二十七条、第二十九条、第三十条、第六十七条、第六十九条、第六十九条の三第二項、第六十九条の四及び附則第二条から第四条までの規定に基づき、並びに同法の規定を実施するため、並びに外国為替及び外国貿易管理法の一部を改正する法律（昭和五十四年法律第六十五号）附則第六条の規定に基づき、この政令を制定する。

The Cabinet hereby enacts this Cabinet Order pursuant to the provisions of Article 26; Article 27; Article 29, Article 30, Article 67, Article 69, Article 69-3, paragraph (2), and Article 69-4 of the Foreign Exchange and Foreign Trade Control Act (Act No. 228 of 1949), and Articles 2 to 4 of its Supplementary Provisions; and pursuant to the provisions of Article 6 of Supplementary Provisions of the Act Partially Revising the Foreign Exchange and Foreign Trade Control Act (Act No. 65 of 1979) for the purpose of implementing the provisions of the Foreign Exchange and Foreign Trade Control Act.

第一章 総則（第一条）

Chapter I General Provisions (Article 1)

第二章 対内直接投資等（第二条—第四条）

Chapter II Inward Direct Investment, etc. (Articles 2 to 4)

第三章 技術導入契約の締結等（第五条—第六条の二）

Chapter III Conclusion of a Technology Introduction Contract, etc. (Articles 5 to 6-2)

第三章の二 報告（第六条の三—第六条の五）

Chapter III-2 Reports (Articles 6-3 to 6-5)

第四章 雑則（第七条—第十条）

Chapter IV Miscellaneous Provisions (Articles 7 to 10)

附 則

Supplementary Provisions

第一章 総則

Chapter I General Provisions

（趣旨）

（Purpose）

第一条 この政令は、外国為替及び外国貿易法（以下「法」という。）第五章に規定す

る対内直接投資等及び技術導入契約の締結等に関する事項の管理若しくは調整又は報告に関し必要な事項を定めるものとする。

Article 1 This Cabinet Order establishes necessary matters regarding the management or adjustment or reporting of matters related to inward direct investment, etc. and the conclusion of the technology introduction contract, etc. prescribed in Chapter V of the Foreign Exchange and Foreign Trade Act (hereinafter referred to as the "Act").

第二章 対内直接投資等

Chapter II Inward Direct Investment, etc.

(対内直接投資等の定義に関する事項)

(Matters Related to the Definition of Inward Direct Investment, etc.)

第二条 法第二十六条第一項第三号に規定する他の会社を通じて間接に保有されるものとして政令で定める会社の議決権の数は、当該会社の株主又は出資者である他の会社（同項第一号又は第二号に掲げるもの（次項及び次条第一項第六号において「外国法人等」という。）の出資比率が百分の五十以上であるものに限る。次条第一項第六号において同じ。）が直接に保有する当該会社の議決権（法第二十六条第一項第三号に規定する議決権をいう。以下同じ。）の数とする。

Article 2 (1) The number of voting rights in a company to be specified by a Cabinet Order as being indirectly held through another company referred to in Article 26, paragraph (1), item (iii) of the Act, shall be the number of voting rights (meaning voting rights prescribed in Article 26, paragraph (1), item (iii) of the Act; the same applies hereinafter) in said company directly held by another company which is a shareholder or a capital investor (limited to a company in which the investment ratio of the persons listed in item (i) and item (ii) of the same paragraph (referred to as "foreign juridical person, etc." in the next paragraph and paragraph (1), item (vi) of the next Article) is 50% or more; the same applies in paragraph (1), item (vi) of the next Article).

2 前項の「出資比率」とは、外国法人等が直接に保有する会社の議決権の数が当該会社の総株主又は総社員の議決権の数に占める割合をいう。

(2) The "investment ratio" as used in the preceding paragraph means the ratio of the number of voting rights in a company directly held by foreign juridical person, etc. to the number of voting rights held by all shareholders or members of the said company.

3 法第二十六条第二項第一号に規定する政令で定める株式は、認可金融商品取引業協会（金融商品取引法（昭和二十三年法律第二十五号）第二条第十三項に規定する認可金融商品取引業協会をいう。）の規則の定めるところにより、店頭売買につき売買値段を公表するものとして登録され又は指定されている株式とする。

(3) The shares to be specified by a Cabinet Order referred to in Article 26, paragraph (2), item (i) of the Act shall be shares registered or designated as

those whose selling prices are announced for over-the-counter sale pursuant to the provisions of the rules of an Approved Financial Instruments Firms Association (meaning an Approved Financial Instruments Firms Association defined in Article 2, paragraph (13) of the Financial Instruments and Exchange Act (Act No. 25 of 1948)).

4 上場会社等（法第二十六条第二項第一号に規定する上場会社等をいう。以下同じ。）の株式を取得したもの（以下この項において「株式取得者」という。）と同条第二項第三号に規定する株式の所有関係等の永続的な経済関係、親族関係その他これらに準ずる特別の関係にあるものとして政令で定める非居住者である個人又は法人その他の団体（同条第一項第二号から第四号までに掲げるものに該当するものに限る。以下この条及び次条において「法人等」という。）は、次に掲げるものとする。

(4) Non-resident individuals, juridical persons, or other organizations (limited to those which fall under Article 26, paragraph (1), item (ii) through item (iv) of the Act, and hereinafter referred to as "juridical person, etc." in this Article and the next Article) referred to in paragraph (2), item (iii) of the same Article, who are to be specified by a Cabinet Order as being in a permanent economic relationship such as one of share ownership, as being related by kinship, or as being party to another special relationship equivalent thereto with a person who has acquired shares in a listed company, etc. (meaning a listed company, etc. provided for in Article 26, paragraph (2), item (i) of the Act; the same applies hereinafter) (hereinafter referred to as the "acquirer of shares") are the following:

一 株式取得者により総株主又は総社員の議決権の数（以下この項及び第五条第一項第一号ニにおいて「総議決権」という。）の百分の五十以上に相当する議決権の数を直接に保有されている法人等

(i) a juridical person, etc. in which the acquirer of shares directly holds a number of voting rights equivalent to 50% or more of the number of voting rights of all shareholders or members (hereinafter referred to as "total voting rights" in this paragraph and Article 5, paragraph (1), item (i), (d));

二 株式取得者及び前号に掲げる法人等により総議決権の百分の五十以上に相当する議決権の数を直接に保有されている法人等（前号に掲げるものを除く。）

(ii) a juridical person, etc. (excluding the one set forth in the preceding item) in which the acquirer of shares and the juridical person etc. set forth in the preceding item directly hold a number of voting rights equivalent to 50% or more of the total voting rights;

三 株式取得者が法人等である場合において当該株式取得者の総議決権の百分の五十以上に相当する議決権の数を直接に保有している法人等（前二号に掲げるものを除く。）

(iii) in case where an acquirer of shares is a juridical person, etc., a juridical person, etc. (excluding those set forth in the preceding two items) that directly holds a number of voting rights equivalent to 50% or more of the

total voting rights in said acquirer of shares ;

四 株式取得者が法人等である場合において、当該株式取得者の総議決権の百分の五十未満に相当する議決権の数を直接に保有している法人等が直接に保有している当該株式取得者の議決権の数と当該法人等の総議決権の百分の五十以上に相当する議決権の数を直接に保有している法人等が直接に保有している当該株式取得者の議決権の数とを合算した数が当該株式取得者の総議決権の百分の五十以上となるときにおける当該株式取得者の総議決権の百分の五十未満に相当する議決権の数を直接に保有している法人等（第一号及び第二号に掲げるものを除く。）

(iv) in case where an acquirer of shares is a juridical person, etc., a juridical person, etc. (excluding those set forth in item (i) and item (ii)) that directly holds a number of voting rights equivalent to less than 50% of the total voting rights in said acquirer of shares, when, if the voting rights said juridical person, etc. directly holds in the acquirer of shares are combined with the number of voting rights in the acquirer of shares that are directly held by a second juridical person, etc. that directly holds a number of voting rights in the first juridical person, etc. equivalent to 50% or more of the total voting rights of the first juridical person, etc., the number of voting rights thus held accounts for 50% or more of the total voting rights of the acquirer of shares;

五 前二号に掲げる法人等の総議決権の百分の五十以上に相当する議決権の数を直接に保有している法人等（前各号に掲げるものを除く。）

(v) a juridical person, etc. (excluding those set forth in each of the preceding items) that directly holds a number of voting rights equivalent to 50% or more of the total voting rights of the juridical persons, etc. specified in the preceding two items;

六 前号に掲げる法人等により総議決権の百分の五十以上に相当する議決権の数を直接に保有されている法人等（前各号に掲げるものを除く。）

(vi) a juridical person, etc. (excluding those set forth in each of the preceding items) in which the juridical person, etc. listed in the preceding item directly holds a number of voting rights equivalent to 50% or more of the total voting rights;

七 第五号に掲げる法人等及び前号に掲げる法人等により総議決権の百分の五十以上に相当する議決権の数を直接に保有されている法人等（前各号に掲げるものを除く。）

(vii) a juridical person, etc. (excluding those set forth in the preceding items) in which the juridical person, etc. listed in item (v) and the juridical person, etc. listed in the preceding item directly hold a number of voting rights equivalent to 50% or more of the total voting rights;

八 第三号に掲げる法人等により総議決権の百分の五十以上に相当する議決権の数を直接に保有されている法人等（前各号に掲げるものを除く。）

(viii) a juridical person, etc. (excluding those set forth in the preceding items)

- in which the juridical person, etc. listed in item (iii) directly holds a number of voting rights equivalent to 50% or more of the total voting rights;
- 九 第三号に掲げる法人等及び前号に掲げる法人等により総議決権の百分の五十以上に相当する議決権の数を直接に保有されている法人等（前各号に掲げるものを除く。）
- (ix) a juridical person, etc. (excluding those set forth in the preceding items) in which the juridical person, etc. listed in item (iii) and the juridical person, etc. listed in the preceding item directly hold a number of voting rights equivalent to 50% or more of the total voting rights;
- 十 株式取得者（法人等に限る。）の役員（取締役その他これに準ずるものをいう。以下この項において同じ。）及び前各号に掲げる法人等の役員
- (x) an officer (meaning directors and others equivalent thereto; hereinafter the same applies in this paragraph) of the acquirer of shares (limited to a juridical person, etc.) or an officer of the juridical person, etc. listed in each of the preceding items;
- 十一 前号に掲げる者が役員の過半数を占めている法人等（第一号から第九号までに掲げるものを除く。）
- (xi) a juridical person, etc. (excluding those set forth in item (i) to item (ix)) the majority of whose officers are officers listed in the preceding item;
- 十二 株式取得者の配偶者
- (xii) the spouse of an acquirer of shares;
- 十三 株式取得者の直系血族
- (xiii) a lineal relative of an acquirer of shares;
- 十四 株式取得者が我が国以外の国（その一部である地域を含む。）の政府機関若しくは公共団体又はこれらに準ずるものである場合における当該国の他の政府機関若しくは公共団体又はこれらに準ずるもの（第一号から第九号まで及び第十一号に掲げるものを除く。）
- (xiv) in case where an acquirer of shares is a government institution, public organization, or an entity equivalent thereto of a country other than Japan (including a region which is a part thereof), any other government institution, public organization, or an entity equivalent thereto of the same country (excluding those listed in item (i) to item (ix) and item (xi));
- 十五 株式取得者が、上場会社等の株式を所有する他の非居住者である個人又は法人等と共同して当該上場会社等の株主としての議決権その他の権利を行使することを合意している場合（当該株式取得者及び当該他の非居住者である個人又は法人等が、投資一任契約（金融商品取引法第二条第八項第十二号ロに規定する投資一任契約をいう。以下この条において同じ。）その他の契約に基づき、当該上場会社等の株式に投資をするために必要な権限及び当該上場会社等の株主としての議決権その他の権利を行使する権限を法第二十六条第一項各号のいずれかに掲げるもの（当該株式取得者及び当該他の非居住者である個人又は法人等を除く。）に委任している場合（当該委任により、当該株式取得者及び当該他の非居住者である個人又は法人等が

当該権利を行使できない場合に限る。)を除く。)における当該他の非居住者である個人又は法人等(前各号に掲げるものを除く。)

(xv) in case where an acquirer of shares has agreed to jointly exercise voting rights and other rights as a shareholder of a listed company, etc. with another non-resident individual or juridical person, etc. that owns shares in said listed company, etc. (excluding when said acquirer of shares and said other non-resident individual or juridical person, etc. have entrusted the authority necessary to invest in the shares of said listed company, etc., and the authority to exercise voting rights and other rights as shareholders of said listed company, etc. to a person listed in one of the items of Article 26, paragraph (1) of the Act (excluding said acquirer of shares and said other non-resident individual or juridical person, etc.) (limited to when said acquirer of shares and said other non-resident individual or juridical person, etc. cannot exercise the rights due to said entrustment) based on a discretionary investment contract (meaning a discretionary investment contract defined in Article 2, paragraph (8), item (xii) (b) of the Financial Instruments and Exchange Act; hereinafter the same applies in this Article) or any other contract), said non-resident individual or juridical person, etc. (excluding those set forth in each of the preceding items).

5 法第二十六条第二項第三号に規定する政令で定める率は、百分の十とする。

(5) The ratio to be specified by a Cabinet Order referred to in Article 26, paragraph (2), item (iii) of the Act shall be 10%.

6 法第二十六条第二項第五号に規定する政令で定める設置又は変更は、次に掲げる事業に係る本邦における支店、工場その他の事業所(以下「支店等」という。)の設置又は本邦にある支店等の種類若しくは事業目的の実質的な変更以外の当該支店等の設置又は当該実質的な変更とする。

(6) The establishment or change to be specified by a Cabinet Order referred to in Article 26, paragraph (2), item (v) of the Act shall be the establishment of a branch office, a factory or other places of business (hereinafter referred to as a "branch office, etc.") in Japan in connection with the following business undertakings, or the establishment or substantial change of a branch office, etc. already existing in Japan other than the substantial change of the kind or business purpose of said branch office, etc.:

一 銀行法(昭和五十六年法律第五十九号)第二条第二項に規定する銀行業(同法第三条の規定により銀行業とみなされた営業を含む。)

(i) the banking business prescribed in Article 2, paragraph (2) of the Banking Act (Act No. 59 of 1981) (including business deemed to be a banking business pursuant to the provisions of Article 3 of the same Act);

二 保険業法(平成七年法律第百五号)第二条第七項に規定する外国保険会社等の事業

(ii) the business undertakings of a foreign insurance company, etc. prescribed

in Article 2, paragraph (7) of the Insurance Business Act (Act No. 105 of 1995);

三 ガス事業法（昭和二十九年法律第五十一号）第二条第十項に規定するガス事業
(iii) the gas business prescribed in Article 2, paragraph (10) of the Gas Business Act (Act No. 51 of 1954);

四 電気事業法（昭和三十九年法律第七十号）第二条第一項第九号に規定する電気事業

(iv) the electricity business prescribed in Article 2, paragraph (1), item (ix) of the Electricity Business Act (Act No. 170 of 1964);

五 金融商品取引法第二条第九項に規定する金融商品取引業者であつて、同法第二十八条第一項に規定する第一種金融商品取引業又は同条第四項に規定する投資運用業を行う者の事業

(v) the business undertakings of a financial instruments business operator prescribed in Article 2, paragraph (9) of the Financial Instruments and Exchange Act who engages in the Type I Financial Instruments Business prescribed in Article 28, paragraph (1) of the same Act or the investment management business prescribed in paragraph (4) of the same Article;

六 信託業法（平成十六年法律第一百五十四号）第二条第六項に規定する外国信託会社の事業

(vi) the business undertakings of a foreign trust company prescribed in Article 2, paragraph (6) of the Trust Business Act (Act No. 154 of 2004); and

七 資金決済に関する法律（平成二十一年法律第五十九号）第二条第二項に規定する資金移動業

(vii) the fund transfer services prescribed in Article 2, paragraph (2) of the Act on Financial Settlements (Act No. 59 of 2009).

7 法第二十六条第二項第六号に規定する政令で定める金額は、次の各号に掲げる場合の区分に応じ、当該各号に定める金額とする。

(7) The amount to be specified by a Cabinet Order referred to in Article 26, paragraph (2), item (vi) of the Act shall be the amount specified in each of the following items in accordance with the classification of the cases listed in the following item:

一 本邦に主たる事務所を有する法人に対する法第二十六条第二項第六号に規定する金銭の貸付け（以下「金銭の貸付け」という。）後における当該法人に対する金銭の貸付けの残高が一億円を下らない金額で主務省令で定める金額以下である場合
当該主務省令で定める金額

(i) in case where the outstanding balance of loans to a juridical person having its principal office in Japan after a loan prescribed in Article 26, paragraph (2), item (vi) of the Act (hereinafter referred to as "loans") has been made to said juridical person is not less than 100 million yen and less than the amount specified by an ordinance of the competent ministry: the amount specified by said ordinance of the competent ministry;

二 本邦に主たる事務所を有する法人に対する金銭の貸付け後における当該法人に対する金銭の貸付けの残高が前号の主務省令で定める金額を超える場合 当該金銭の貸付け後における当該法人の負債の額として主務省令で定める額の百分の五十に相当する金額から当該金銭の貸付けの残高と当該法人（会社に限る。）が発行した第九項第一号に規定するその募集が特定のものに対してされた社債（以下この号において「社債」という。）で当該金銭の貸付けを行つたものが所有するものの残高の合計額（当該金銭の貸付けを行つたものを第四項の株式取得者とした場合に同項各号に掲げるものに該当することとなる非居住者である個人又は法人等が行つた金銭の貸付けの残高と取得した社債の残高の合計額を含み、当該金銭の貸付けの金額を除く。）を控除した金額（当該金額が零に満たない場合にあっては、零）

(ii) in case where the outstanding balance of loans to a juridical person having its principal office in Japan after a loan is made to said juridical person exceeds the amount specified by an ordinance of the competent ministry set forth in the preceding item: the amount calculated by deducting the total of the outstanding balance of said loans and the outstanding balance of bonds issued by said juridical person (limited to a company) and offered to specified parties as prescribed in paragraph (9), item (i) (hereinafter referred to as "bonds" in this item) which are owned by the person who made the said loan (including the total of the outstanding balance of a loan made, and the outstanding balance of bonds acquired by a non-resident individual or juridical person, etc. that falls under the items of paragraph (4), if the person that made the said loan is deemed to be an acquirer of shares set forth in the same paragraph, and excluding the amount of said loan) from an amount equivalent to 50% of the amount to be specified by an ordinance of the competent ministry as the amount of liabilities of said juridical person after said loan is made (or zero, if the amount thus calculated is less than zero).

8 法第二十六条第二項第六号に規定する政令で定める金融機関は、次に掲げる金融機関とする。

(8) The financial institutions to be specified by a Cabinet Order referred to in Article 26, paragraph (2), item (vi) of the Act shall be the following financial institutions:

一 信託業、保険業又は金融商品取引業を営む者

(i) a person engaged in trust business, insurance business or financial instruments business;

二 国際復興開発銀行及びアメリカ合衆国輸出入銀行

(ii) the International Bank for Reconstruction and Development and the U.S. Import-Export Bank;

三 前二号に掲げる者のほか、業としての金銭の貸付け（物品の売買、運送、保管又は売買の媒介を業とする者がこれらの取引に付随して行うものを除く。）を主として行う者

(iii) a person not listed in either of the preceding two items that makes loans as

a primary business (excluding cases where a person whose business is the sale, transport or storage of goods or a sales intermediary makes loans in association with these transactions);

四 前三号に掲げる者のいずれかに準ずるものとして主務省令で定める者

(iv) a person to be specified by an ordinance of the competent ministry as being equivalent to any of those listed in the preceding three items.

9 法第二十六条第二項第七号に規定する政令で定める行為は、次に掲げる行為とする。

(9) The acts to be specified by a Cabinet Order referred to in Article 26, paragraph (2), item (vii) of the Act shall be as follows:

一 会社の発行する社債でその募集が法第二十六条第一項各号に掲げるもののうち特定のものに対してされるものの取得。ただし、次のいずれかに該当する社債の取得を除く。

(i) the acquisition of bonds issued by a company which are offered to specified parties among those listed in each of the items of Article 26, paragraph (1) of the Act; provided, however, that an acquisition of bonds falling under any of the following is excluded:

イ 銀行業を営む者又は前項第一号若しくは第三号に掲げる者が業として行う社債の取得

(a) an acquisition of bonds by a person engaged in banking business or a person listed in item (i) or item (iii) of the preceding paragraph;

ロ 法第二十六条第一項第三号又は第四号に掲げるものが行う本邦通貨をもつて表示される社債の取得

(b) an acquisition of Japanese currency-denominated bonds by a party listed in Article 26, paragraph (1), item (iii) or item (iv) of the Act;

ハ 取得の日から元本の償還の日までの期間が一年以下である社債の取得

(c) an acquisition of bonds for which the period from the date of acquisition to the date of principal redemption is not more than one year;

ニ 取得の金額が次の(1)又は(2)に掲げる場合の区分に応じ、当該(1)又は(2)に定める金額以下である社債の取得

(d) an acquisition of bonds in an amount not more than that specified in 1. or 2. below, in accordance with the classification of the case listed in 1 or 2 below:

(1) 取得の後において所有することとなる当該会社の社債の残高の金額が一億円を下らない金額で主務省令で定める金額以下である場合 当該主務省令で定める金額

1. if the outstanding balance of bonds of said company to be owned after acquisition is not more than the amount not less than 100 million yen to be specified by an ordinance of the competent ministry: the amount specified by said ordinance of the competent ministry;

(2) 取得の後において所有することとなる当該会社の社債の残高の金額が(1)の主務省令で定める金額を超える場合 当該取得の後における当該会

社の負債の額として主務省令で定める額の百分の五十に相当する金額から当該社債の残高と当該社債を取得したものによる当該会社に対する金銭の貸付けの残高の合計額（当該社債を取得したものを第四項の株式取得者とした場合に同項各号に掲げるものに該当することとなる非居住者である個人又は法人等が取得した社債の残高とこれらのものが行った金銭の貸付けの残高の合計額を含み、当該取得の金額を除く。）を控除した金額（当該金額が零に満たない場合にあつては、零）

2. if the outstanding balance of bonds of said company to be owned after acquisition exceeds the amount specified by the ordinance of the competent ministry set forth in 1.: the amount calculated by deducting the total of the outstanding balance of said bonds and the outstanding balance of the loans made to said company by the person that acquired said bonds (including the total of the outstanding balance of bonds acquired, and the outstanding balance of a loan made by a non-resident individual or juridical person, etc. that falls under the items of paragraph (4) if the person that acquired said bonds is deemed to be an acquirer of shares set forth in the same paragraph, and excluding the amount of said acquisition) from an amount equivalent to 50% of the amount to be specified by an ordinance of the competent ministry as the amount of liabilities of said juridical person after said acquisition (or zero, if the amount thus calculated is less than zero).

ホ その他主務省令で定める社債の取得

(e) other acquisition of bonds to be specified by an ordinance of the competent ministry;

二 特別の法律により設立された法人の発行する出資証券の取得

(ii) the acquisition of investment securities issued by a juridical person established pursuant to a special Act;

三 上場会社等の株式への一任運用であつて、次に掲げる要件を満たすもの

(iii) discretionary investment in shares of a listed company, etc., which satisfies the following requirements:

イ 当該上場会社等の株式に投資をするために必要な権限及び当該上場会社等の株主としての議決権その他の権利を行使する権限が法第二十六条第一項各号のいずれかに掲げるものに委任され、かつ、当該委任により、委任者が当該権利を行使できないこと。

(a) the authority necessary to invest in shares of said listed company, etc. and the authority to exercise voting rights and other rights as a shareholder of said listed company, etc. have been entrusted to a person listed in one of the items of paragraph (1) of Article 26 of the Act, and the entrustor cannot exercise said rights due to such entrustment;

ロ 当該株式への一任運用の対象とされる当該上場会社等の株式の数（当該株式への一任運用をするものを第四項の株式取得者とした場合に同項各号に掲げるもの

に該当することとなる非居住者である個人又は法人等がする株式への一任運用（イに掲げる要件を満たすものに限る。）の対象とされる当該上場会社等の株式の数を含む。）の当該上場会社等の発行済株式の総数に占める割合が百分の十以上となること。

(b) the ratio of the number of shares of said listed company, etc. that are subject to the discretionary investment in shares (including the number of shares of said listed company, etc. that are subject to discretionary investment in shares (limited to those that satisfy the requirement listed in (a)) by a non-resident individual or juridical persons, etc. that falls under any of the items of paragraph (4), if the person carrying out the discretionary investment in shares is deemed to be the acquirer of shares referred to in that paragraph) to the total number of issued shares of said listed company, etc. is 10% or more.

10 前項第三号に規定する「株式への一任運用」とは、投資一任契約その他の契約に基づき、他の者から委任を受けて株式に運用すること（その指図をすることを含む。）をいう。

(10) The term "discretionary investment in shares" referred to in item (iii) of the preceding paragraph means investment in shares after entrustment by another person based on a discretionary investment contract or any other contract.

(対内直接投資等の届出及び変更勧告の送達等)

(Notification of Inward Direct Investment, etc. and Service, etc. of a Recommendation of a Change)

第三条 法第二十六条第二項に規定する対内直接投資等（以下「対内直接投資等」という。）であつて、法第二十七条第一項及び法第五十五条の五第一項に規定する相続、遺贈、法人の合併その他の事情を勘案して政令で定めるものは、次に掲げる行為に該当する対内直接投資等とする。

Article 3 (1) Inward direct investment, etc. referred to in Article 26, paragraph (2) of the Act (hereinafter referred to as "inward direct investment, etc."), to be specified by a Cabinet Order in consideration of inheritances, testamentary gifts, the merger of juridical persons, and or other circumstances, as referred to in Article 27, paragraph (1) and Article 55-5, paragraph (1) of the Act, shall be inward direct investment, etc. that falls under the category of any of the following acts:

一 相続又は遺贈による会社の株式又は持分の取得

(i) the acquisition of a company's shares or equity through inheritance or as a testamentary gift;

二 上場会社等以外の会社（次号及び第四号において「非上場会社」という。）の株式又は持分を所有する法人の合併により合併後存続する法人又は新たに設立される法人が当該株式又は持分を取得する場合における当該取得

(ii) acquisition of the relevant shares and equity by a juridical person that

survives after a merger or by a newly established juridical person resulting from a merger with a juridical person that owns the shares or equity of a company that is not a listed company, etc. (referred to as a "non-listed company" in the next item and item (iv));

三 非上場会社の株式又は持分を所有する法人の分割により分割後新たに設立される法人又は事業を承継する法人が当該株式又は持分を取得する場合における当該取得

(iii) acquisition of the relevant shares and equity by a juridical person newly established after a company split or a juridical person that assumes business resulting from a company split by a juridical person that owns the shares or equity of a non-listed company;

四 非上場会社の株式又は持分の取得（当該取得に係る当該非上場会社の株式の数若しくは出資の金額（以下この号において「株式等」という。）の当該非上場会社の発行済株式の総数若しくは出資の金額の総額（以下この号において「発行済株式等」という。）に占める割合又は当該取得をしたものが当該取得の後において所有することとなる当該非上場会社の株式等と当該取得をしたものを前条第四項の株式取得者とした場合に同項各号に掲げるものに該当することとなる非居住者である個人若しくは法人等が所有する当該非上場会社の株式等を合計した株式等の当該非上場会社の発行済株式等に占める割合が百分の十以上となる場合の当該取得を除く。）であつて、次項各号に掲げる対内直接投資等に該当する非上場会社の株式又は持分の取得（上場会社等の株式に準ずるものとして主務省令で定める株式の取得を除く。）以外のもの

(iv) acquisition of a non-listed company's shares or equity (excluding acquisition wherein the ratio of the number of shares or the amount of investment in (hereinafter referred to as "shares, etc." in this item) said non-listed company in connection with said acquisition to the total number of issued shares or the total amount of investment in (hereinafter referred to as "issued shares, etc." in this item) said non-listed company, or the ratio of the total number of shares, etc. in said non-listed company that the person who acquires them is to own after said acquisition plus the shares, etc. in said non-listed company that are owned by a non-resident individual or juridical person that falls under any of the items of paragraph (4) of the preceding Article if the person who makes said acquisition is deemed to be the acquirer of shares referred to in paragraph (4) of the preceding Article to the issued shares, etc. of said non-listed company, is 10% or greater), other than the acquisition of shares or equity falling under the category of inward direct investment, etc. listed in any of the items of the next paragraph (excluding the acquisition of shares to be specified by an ordinance of the competent ministry as being equivalent to the shares of a listed company, etc.);

五 株式の分割又は併合により発行される新株の取得又は当該新株に係る株式への一任運用（前条第十項に規定する株式への一任運用をいう。第七条第一号において同じ。）

(v) the acquisition of new shares issued as a result of a share split or consolidation of shares, or discretionary investment in shares in connection with said new shares (meaning discretionary investment in shares prescribed in paragraph (10) of the preceding Article; the same applies in Article 7, item (i));

六 法第二十六条第一項第三号に掲げるもののうち上場会社等であつて、当該上場会社等の各株主（外国法人等又は他の会社に限る。）が直接に所有する当該上場会社等の株式の数（当該株主を前条第四項の株式取得者とした場合に同項各号に掲げるものに該当することとなる非居住者である個人又は法人等が所有する当該株式の数を含む。）の当該上場会社等の発行済株式の総数に占める割合のいずれもが百分の十未満であるものが行う法第二十六条第二項第一号、第三号、第四号若しくは第六号に掲げる行為又は前条第九項各号に掲げる行為

(vi) an act listed in Article 26, paragraph (2), item (i), item (iii), item (iv) or item (vi) of the Act or an act specified in any item of paragraph (9) of the preceding Article in which a listed company, etc. among those specified in Article 26, paragraph (1), item (iii) of the Act engages, whereby all of the ratios of the number of shares of said listed company, etc. directly owned by each shareholder (limited to a foreign juridical person, etc. or other companies) of said listed company, etc. (including the number of shares owned by a non-resident individual or juridical person, etc. that falls under any of the items of paragraph (4) of the preceding Article if the shareholder is deemed to be the acquirer of shares set forth in the same paragraph) to the total number of issued shares of said listed company, etc. is less than 10%;

七 前各号に掲げるもののほか、主務省令で定める行為

(vii) acts not listed in any of the preceding items which are to be specified by an ordinance of the competent ministry.

2 法第二十七条第一項に規定する審査が必要となる対内直接投資等に該当するおそれがあるものとして政令で定めるものは、次の各号のいずれかに該当する対内直接投資等とする。

(2) Inward direct investment, etc. to be specified by a Cabinet Order as being likely to fall under the category of inward direct investment, etc. that requires examination, as referred to in Article 27, paragraph (1) of the Act, is inward direct investment, etc. falling under any of the following items:

一 イ又はロのいずれかに該当する業種として主務省令で定める業種に係る対内直接投資等（法第二十六条第二項第一号から第四号まで並びに前条第九項第一号及び第三号に掲げる対内直接投資等にあつては、これらの規定に規定する上場会社等その他の会社の子会社（会社法（平成十七年法律第八十六号）第二条第三号に規定する子会社をいい、本邦にあるものに限る。以下同じ。）並びに当該会社が財務及び営業又は事業の方針の決定に対して重要な影響を与えることができる他の会社として主務省令で定めるもの（子会社を除く。）が当該主務省令で定める業種に属する事業を営んでいる場合を含む。）

- (i) inward direct investment, etc. involving the business types to be specified by an ordinance of the competent ministry as business types that fall under either (a) or (b) (with regard to inward direct investment, etc. listed in Article 26, paragraph (2), item (i) to item (iv) of the Act and paragraph (9), item (i) and item (iii) of the preceding Article, including a case where a subsidiary company of a listed company, etc., or of another company set forth in such provisions (meaning a subsidiary company set forth in Article 2, item (iii) of the Companies Act (Act No. 86 of 2005), but limited to those located in Japan; the same applies hereinafter) and those to be specified by an ordinance of the competent ministry as other companies on which said company is able to exert a material influence regarding the determination of their financial, operational, or business policies (excluding subsidiary companies) operate a business in the business types to be specified by said ordinance of the competent ministry):
- イ 国の安全を損ない、公の秩序の維持を妨げ、又は公衆の安全の保護に支障を来すことになるおそれがある対内直接投資等に係る業種
- (a) business types involving inward direct investment, etc. which are likely to impair national security, disturb the maintenance of public order or hinder the protection of public safety;
- ロ 我が国が経済協力開発機構の資本移動の自由化に関する規約第二条 b の規定に基づき留保している対内直接投資等に係る業種
- (b) business types involving inward direct investment, etc. of which Japan has lodged a reservation pursuant to the provisions of Article 2-b of the Code of Liberalization of Capital Movements of the Organization for Economic Cooperation and Development;
- 二 法第二十七条第三項第二号に掲げる対内直接投資等に該当するおそれがあるものとして主務省令で定める対内直接投資等
- (ii) inward direct investment, etc. to be specified by an ordinance of the competent ministry as being likely to fall under the category of inward direct investment, etc. listed in Article 27, paragraph (3), item (ii) of the Act;
- 三 外国為替令（昭和五十五年政令第二百六十号）第十一条第一項の規定による財務大臣の指定に係る資本取引に当たるおそれがあるものとして主務省令で定める対内直接投資等
- (iii) inward direct investment, etc. to be specified by an ordinance of the competent ministry as being likely to fall under a capital transaction as designated by the Minister of Finance pursuant to Article 11, paragraph (1) of the Foreign Exchange Order (Cabinet Order No. 260 of 1980).
- 3 法第二十七条第一項の規定による届出は、対内直接投資等を行おうとする日前六月以内に、主務省令で定める手続により、しなければならない。
- (3) The notification pursuant to the provisions of Article 27, paragraph (1) of the Act must be submitted within six months before the day when inward direct

investment is intended to be made based on the procedures to be specified by an ordinance of the competent ministry.

4 法第二十七条第一項の規定による届出をしなければならない法第二十六条第一項に規定する外国投資家（以下「外国投資家」という。）が同項第一号又は第二号に掲げるものに該当する場合には、当該外国投資家は、居住者である代理人（第七項及び第十二項の規定により送達される文書を受理する権限を有するものに限る。）により当該届出をしなければならない。

(4) If a foreign investor prescribed in Article 26, paragraph (1) of the Act who must submit a notification pursuant to the provisions of Article 27, paragraph (1) of the Act (hereinafter referred to as a "foreign investor"), falls under a case listed in Article 26, paragraph (1), item (i) or item (ii), said foreign investor must submit said notification through an agent who is a resident (limited to persons who have the authority to receive documents that are served pursuant to the provisions of paragraph (7) and paragraph (12)).

5 法第二十七条第一項に規定する政令で定める事項は、次に掲げる事項とする。

(5) The matters to be specified by a Cabinet Order that are referred to in Article 27, paragraph (1) are the following:

一 届出者の氏名、住所又は居所、国籍及び職業（法人その他の団体にあつては、その名称、主たる事務所の所在地、営んでいる事業の内容、資本金及び代表者の氏名）

(i) the name, domicile or residence, nationality, and occupation of the person submitting the notification (or for a juridical person or other organization, its name, the location of its principal office, the content of the business it operates, its stated capital, and the name of its representative);

二 対内直接投資等に係る事業目的

(ii) the business purpose of the inward direct investment, etc.;

三 対内直接投資等の金額及び実行の時期

(iii) the amount of inward direct investment, etc. and the timing of its closing;

四 対内直接投資等を行おうとする理由

(iv) the reason for making the inward direct investment, etc.;

五 その他主務省令で定める事項

(v) other matters to be specified by an ordinance of the competent ministry.

6 法第二十七条第三項第一号に規定する政令で定めるものは、経済協力開発機構条約（同条約第五条（a）の規定に基づき決定された資本移動の自由化に関する規約に係る部分に限る。）及び世界貿易機関を設立するマラケシュ協定附属書一Bサービスの貿易に関する一般協定とする。

(6) The multilateral treaty or other international agreement on inward direct investment, etc. to be specified by a Cabinet Order that is referred to in Article 27, paragraph (3), item (i) of the Act is the Organization for Economic Cooperation and Development Treaty (limited to the part pertaining to the Code of Liberalization of Capital Movements decided pursuant to the provision

of Article 5- (a) of said Treaty) and Annex B: General Agreement on Trade in Services to the Marrakesh agreements which establish the World Trade Organization.

7 法第二十七条第三項又は第六項の規定による対内直接投資等を行つてはならない期間の延長は、郵便若しくは民間事業者による信書の送達に関する法律（平成十四年法律第九十九号）第二条第六項に規定する一般信書便事業者若しくは同条第九項に規定する特定信書便事業者による同条第二項に規定する信書便（以下この条及び第五条において「郵便等」という。）による送達又は交付送達により、その送達を受けるべきものの住所、居所又は営業所に当該延長の期間を記載した文書を送達して行う。ただし、外国投資家が居住者である代理人により当該対内直接投資等の届出をしている場合には、当該代理人の住所、居所又は営業所に送達するものとする。

(7) The period during which inward direct investment, etc. is prohibited pursuant to the provisions of Article 27, paragraph (3) or paragraph (6) of the Act is extended by serving a document that notes said extension of the period at the domicile or residence or business office of the person who should receive such service, through service by mail or via correspondence delivery service prescribed in Article 2, paragraph (2) of the Act on Correspondence Delivery by Private Business Operators (Act No. 99 of 2002) by an ordinary correspondence delivery business operator prescribed in paragraph (6) of the same Article or a specified correspondence delivery business operator prescribed in paragraph (9) of the same Article (hereinafter referred to as "mail, etc." in this Article and Article 5), or through personal delivery service; provided, however, that in the case where a foreign investor submitted said notification of inward direct investment, etc. through an agent who is a resident, said document shall be served at the domicile or residence or business office of said agent.

8 通常 of 取扱いによる郵便等によつて前項に規定する文書を発送した場合には、その郵便物又は民間事業者による信書の送達に関する法律第二条第三項に規定する信書便物は、通常到達すべきであつた時に送達があつたものと推定する。

(8) If the document prescribed in the preceding paragraph is sent by mail, etc. with ordinary handling, the postal item or the correspondence mail prescribed in Article 2, paragraph (3) of the Act on Correspondence Delivery by Private Business Operators is presumed to have been served at the time it should have normally arrived.

9 財務大臣及び事業所管大臣は、通常 of 取扱いによる郵便等によつて第七項に規定する文書を発送する場合には、当該文書の送達を受けるべきもの（同項ただし書の場合にあつては、代理人。次項及び第十一項において同じ。）の氏名（法人その他の団体にあつては、その名称）、あて先及び当該文書の発送の年月日を確認するに足りる記録を作成しておかなければならない。

(9) If the document prescribed in paragraph (7) is sent by mail, etc. with ordinary handling, the Minister of Finance and the minister having jurisdiction over the business must prepare in advance a record by means of which it will be

sufficient to ascertain the name (or for a juridical person or other organization, its appellation) of the person who should be served with the document (in a case under the proviso to the same paragraph, the agent; the same applies in the next paragraph and paragraph (11)), the destination, and the date on which said document was sent.

10 第七項の交付送達は、当該行政機関の職員（法第六十九条第一項の規定に基づき第十条第三号に掲げる事務に従事する日本銀行の職員を含む。）が第七項に規定する文書を送達すべき場所において、その送達を受けるべきものに当該文書を交付して行う。ただし、その送達を受けるべきものに異議がないときは、その他の場所において当該文書を交付することができる。

(10) The delivery service referred to in paragraph (7) must be conducted by an official of the relevant administrative organ (including an official of the Bank of Japan engaging in the affairs listed in Article 10, item (iii) pursuant to the provisions of Article 69, paragraph (1) of the Act) who delivers the document to the person who should be served at the place which the document prescribed in paragraph (7) should be served; provided, however, that said document may be delivered at other places if the person who should be served has no objection.

11 次の各号に掲げる場合には、第七項の交付送達は、前項の規定による交付に代え、当該各号に定める行為により行うことができる。

(11) In a case listed in any of the following items, the delivery service referred to in paragraph (7) may be conducted by the acts specified in each of said items in lieu of the delivery prescribed in the preceding paragraph:

一 送達すべき場所において第七項に規定する文書の送達を受けるべき者に出会わない場合 その使用人その他の従業者又は同居の者で当該文書の受領について相当のわきまのあるもの（次号において「使用人等」という。）に当該文書を交付すること。

(i) if the person who should be served with the document prescribed in paragraph (7) cannot be met with at the place which service should be made: delivery of said document to an employee, worker, or cohabitant who has the capacity to receive said document (referred to as an "employee, etc." in the next item);

二 第七項に規定する文書の送達を受けるべき者その他使用人等が送達すべき場所にいない場合又はこれらの者が正当な理由なく当該文書の受領を拒んだ場合 送達すべき場所に当該文書を差し置くこと。

(ii) if neither the person who should be served with the document prescribed in paragraph (7) nor an employee, etc. is available at the place which the service should be made or if e such persons refuse to receive said document without justifiable grounds: leaving said document at the place which the service should be made.

12 法第二十七条第五項又は第十項の規定による勧告又は命令は、郵便等による送達又は交付送達により、その送達を受けるべきものの住所、居所又は営業所に当該勧告

又は命令の内容を記載した文書を送達して行ふ。ただし、外国投資家が居住者である代理人により当該対内直接投資等の届出をしている場合には、当該代理人の住所、居所又は営業所に送達するものとする。

(12) The recommendation or order pursuant to the provisions of Article 27, paragraph (5) and paragraph (10) of the Act is implemented by serving a document that notes the content of said recommendation or order at the domicile or residence or business office of the person who should be served, through service by mail, etc. or delivery service; provided, however, that if a foreign investor has submitted the relevant notification of inward direct investment, etc. through an agent who is a resident, such document shall be served at the domicile or residence or business office of said agent.

1 3 第八項から第十一項までの規定は、前項に規定する勧告又は命令の内容を記載した文書について準用する。この場合において、第八項中「前項」とあり、及び第九項中「第七項」とあるのは「第十二項」と、第十項中「第七項」とあるのは「第十二項」と、「第十条第三号」とあるのは「第十条第四号又は第六号」と、第十一項中「第七項」とあるのは「次項」と読み替えるものとする。

(13) The provisions of paragraph (8) through paragraph (11) apply mutatis mutandis to a document that notes the content of the recommendation or order prescribed in the preceding paragraph. In such case, the term "the preceding paragraph" in paragraph (8) and the term "paragraph (7)" in paragraph (9) are deemed to be replaced with "paragraph (12)"; the terms "paragraph (7)" and "Article 10, item (iii)" in paragraph (10) are deemed to be replaced with "paragraph (12)" and "Article 10, item (iv) or item (vi)," respectively; and the term "paragraph (7)" in paragraph (11) is deemed to be replaced with "the next paragraph."

1 4 法第二十七条第七項の規定による通知は、主務省令で定める手続により、しなければならない。

(14) The notice pursuant to Article 27, paragraph (7) of the Act must be given based on the procedures to be specified by an ordinance of the competent ministry.

第四条 削除

Article 4 Deleted.

第三章 技術導入契約の締結等

Chapter III Conclusion, etc. of a Technology Introduction Contract

(技術導入契約の締結等の届出及び変更勧告の送達等)

(Notification of the Conclusion, etc. of a Technology Introduction Contract and Service, etc. of a Recommendation of a Change)

第五条 法第三十条第一項に規定する技術導入契約の締結等（以下「技術導入契約の締

結等」という。)であつて、同項に規定する政令で定めるものは、次の各号のいずれかに該当する技術導入契約の締結等とする。

Article 5 (1) The conclusion, etc. of a technology introduction contract prescribed in Article 30, paragraph (1) (hereinafter referred to as "conclusion, etc. of a technology introduction contract") to be specified by a Cabinet Order that is referred to in the same paragraph, is the conclusion, etc. of a technology introduction contract which falls under any of the following items:

一 イからニまでに掲げる技術導入契約の締結等に係る契約の締結（技術導入契約の締結等に係る契約の一方の当事者の変更によるものを除く。）であつて、指定技術（国の安全を損ない、公の秩序の維持を妨げ、又は公衆の安全の保護に支障を来すことになるおそれがある技術導入契約の締結等に係る技術として主務省令で定める技術をいう。以下この項及び第六条の四第二項第二号において同じ。）に係るもの

(i) the conclusion of a contract (excluding conclusion of a contract due to a change in one of the parties to the contract pertaining the conclusion, etc. of a technology introduction contract) constituting the conclusion, etc. of a technology introduction contract listed in (a) through (d), which pertains to specified technology (meaning the technology to be specified by an ordinance of the competent ministry as technology pertaining to the Conclusion, etc. of a Technology Contract which is likely to impair national security, disturb the maintenance of public order, or hinder the protection of public safety; hereinafter the same applies in this paragraph and Article 6-4, paragraph (2), item (ii)):

イ 技術導入契約の締結等に基づき契約の相手方である非居住者（非居住者の本邦にある支店等を含む。以下この号において同じ。）に支払うべき対価（渡航費及び本邦における滞在費を除く。以下この項において「技術導入契約の対価」という。）の額が一億円に相当する額を超える技術導入契約の締結等

(a) the conclusion, etc. of a technology introduction contract for which the amount of consideration (excluding travel expenses and sojourn expenses in Japan; hereinafter referred to as "consideration of the technology introduction contract") to be paid pursuant to the conclusion, etc. of the technology introduction contract to a non-resident (including the non-resident's branch office, etc. in Japan; hereinafter the same applies in this item) who is the other party to the contract exceeds an amount equivalent to 100 million yen;

ロ 技術導入契約の対価の額が確定していない技術導入契約の締結等

(b) the conclusion, etc. of a technology introduction contract for which the consideration of the technology introduction contract has not been determined;

ハ 居住者が技術導入契約の対価として工業所有権その他の技術に関する権利の譲渡、これらに関する使用权の設定又は事業の経営に関する技術の指導を行おうとする技術導入契約の締結等

- (c) the conclusion, etc. of a technology introduction contract under which a resident intends to transfer industrial property and other rights related to technology, grant licenses relating thereto or give technological guidance related to business operations as consideration of the technology introduction contract;
- ニ 技術導入契約の締結等の相手方である非居住者により総議決権の百分の五十以上の議決権の数を直接に保有されている会社である居住者が当該非居住者との間でしようとする技術導入契約の締結等
- (d) the conclusion, etc. of a technology introduction contract in which a resident, who is a company in which 50% or more of the total voting rights are directly held by a non-resident who is the other party to the conclusion, etc. of a technology introduction contract intends to conclude, etc. the technology introduction contract with said non-resident;
- ニ 前号イからニまでに掲げる技術導入契約の締結等に係る契約の条項の変更（指定技術を新たに追加するものに限る。）
- (ii) the change of a clause of the contract pertaining to the conclusion, etc. of a technology introduction contract listed in (a) through (d) of the preceding item (limited to a new addition of a specified technology);
- 三 技術導入契約の締結等（第一号ロからニまでに掲げるものを除く。）に係る契約の条項の変更により技術導入契約の対価の額が一億円に相当する額を超えることとなるものであつて指定技術に係るもの
- (iii) the contract for which the amount of the consideration of the technology introduction contract exceeds an amount equivalent to 100 million yen as a result of a change in a clause of a contract pertaining to the conclusion, etc. of the technology introduction contract (excluding those listed in (b) through (d) of item (i)), which pertains to a specified technology.
- 2 法第三十条第一項の規定による届出は、技術導入契約の締結等をしようとする日前三月以内に、主務省令で定める手続により、しなければならない。
- (2) The notification pursuant to the provisions of Article 30, paragraph (1) of the Act must be submitted within three months before the day when the conclusion, etc. of a technology introduction contract is intended to be made based on the procedures to be specified by an ordinance of the competent ministry.
- 3 法第三十条第一項に規定する政令で定める事項は、次に掲げる事項とする。
- (3) The matters to be specified by a Cabinet Order that are referred to in Article 30, paragraph (1) of the Act are the following:
- 一 届出者の氏名、住所又は居所及び職業（法人にあつては、その名称、主たる事務所の所在地、営んでいる事業の内容、資本金及び代表者の氏名）
- (i) the name, domicile or residence, and occupation of the person submitting the notification (or for a juridical person or other organization, its name, the location of its principal office, the content of the business it operates, its stated capital, and the name of its representative);

- 二 技術導入契約の締結等に係る技術の種類及び対価
(ii) the kind and consideration of the technology pertaining to the conclusion, etc. of the technology introduction contract;
- 三 技術導入契約の締結等の実行の時期
(iii) the timing for carrying out the conclusion, etc. of the technology introduction contract;
- 四 技術導入契約の締結等をしようとする理由
(iv) the reason for intending to carry out the conclusion, etc. of the technology introduction contract;
- 五 前各号に掲げるもののほか、技術導入契約の締結等に係る契約の条項その他主務省令で定める事項
(v) In addition to the matters listed in the preceding items, the clauses of the contract pertaining to the conclusion, etc. of the technology introduction contract and other matters to be specified by an ordinance of the competent ministry.
- 4 法第三十条第三項に規定する政令で定めるものは、経済協力開発機構条約（同条約第五条（a）の規定に基づき決定された経常的貿易外取引の自由化に関する規約に係る部分に限る。）とする。
(4) The multilateral treaty or other international agreement to be specified by a Cabinet Order that is referred to in Article 30, paragraph (3) of the Act is the Organization for Economic Cooperation and Development Treaty (limited to the part regarding the Code of Liberalization of Current Invisible Operations decided pursuant to the provisions of Article 5- (a) of said Treaty).
- 5 法第三十条第三項又は第六項の規定による技術導入契約の締結等をしてはならない期間の延長は、郵便等による送達又は交付送達により、その送達を受けるべき者の住所、居所又は営業所に当該延長の期間を記載した文書を送達して行う。
(5) The period in which the conclusion, etc. of a technology introduction contract is prohibited pursuant to the provisions of Article 30, paragraph (3) or paragraph (6) is extended by serving a document that notes the extension of the period at the domicile or residence or business office of the person who should be served, through service by mail, etc. or delivery service.
- 6 第三条第八項から第十一項までの規定は、前項に規定する延長の期間を記載した文書について準用する。この場合において、同条第八項中「前項」とあり、及び同条第九項から第十一項までの規定中「第七項」とあるのは、「第五条第五項」と読み替えるものとする。
(6) The provisions of Article 3, paragraph (8) to paragraph (11) inclusive apply mutatis mutandis to a document that notes the extension of the period as prescribed in the preceding paragraph. In such case, the term "the preceding paragraph" in paragraph (8) of the same Article and the term "paragraph (7)" in paragraph (9) through paragraph (11) of the same Article shall be deemed to be replaced with "Article 5, paragraph (5)."

7 法第三十条第五項の規定又は同条第七項において準用する法第二十七条第十項の規定による勧告又は命令は、郵便等による送達又は交付送達により、その送達を受けるべき者の住所、居所又は営業所に当該勧告又は命令の内容を記載した文書を送達して行う。

(7) A recommendation or order pursuant to the provisions of Article 30, paragraph (5) of the Act or the provisions of Article 27, paragraph (10) of the Act as applied mutatis mutandis to pursuant to paragraph (7) of the same Article is issued by serving a document that notes the content of said recommendation or order at the domicile or residence or business office of the person who should be served, through service by mail, etc. or delivery service.

8 第三条第八項から第十一項までの規定は、前項に規定する勧告又は命令の内容を記載した文書について準用する。この場合において、同条第八項中「前項」とあり、及び同条第九項中「第七項」とあるのは「第五条第七項」と、同条第十項中「第七項」とあるのは「第五条第七項」と、「第十条第三号」とあるのは「第十条第四号又は第六号」と、同条第十一項中「第七項」とあるのは「第五条第七項」と読み替えるものとする。

(8) The provisions of Article 3, paragraph (8) through paragraph (11) apply mutatis mutandis to a document that notes the content of the recommendation or order prescribed in the preceding paragraph. In such case, the term "the preceding paragraph" in paragraph (8) of the same Article and the term "paragraph (7)" in paragraph (9) of the same Article are deemed to be replaced with "Article 5, paragraph (7)"; the terms "paragraph (7)" and "Article 10, item (iii)" in paragraph (10) of the same Article are deemed to be replaced with "Article 5, paragraph (7)" and "Article 10, item (iv) or item (vi)," respectively; and the term "paragraph (7)" in paragraph (11) of the same Article is deemed to be replaced with "Article 5, paragraph (7)."

9 法第三十条第七項において準用する法第二十七条第七項の規定による通知は、主務省令で定める手続により、しなければならない。

(9) The notice prescribed in Article 27, paragraph (7) of the Act which applies mutatis mutandis pursuant to Article 30, paragraph (7) of the Act must be given based on the procedures to be specified by an ordinance of the competent ministry.

(法第二十七条の技術的読替え)

(Technical Replacement Deemed to Be Made for Article 27 of the Act)

第六条 法第三十条第七項の規定による技術的読替えは、次の表のとおりとする。

Article 6 The technical replacement deemed to be made pursuant to the provisions of Article 30, paragraph (7) of the Act shall be as in the following table.

読み替える規定 Provision for which a term is deemed to be replaced	読み替えられる字句 Term deemed to be replaced	読み替える字句 Term used to make the replacement
第二十七条第七項 Article 27, paragraph (7)	第五項 paragraph (5)	第三十条第五項 Article 30, paragraph (5)
第二十七条第八項 Article 27, paragraph (8)	対内直接投資等を行わなければならない shall make an inward direct investment, etc.	技術導入契約の締結等を行わなければならない shall effect the conclusion of a technology introduction contract, etc.
第二十七条第九項 Article 27, paragraph (9)	第三項又は第六項 paragraph (3) or paragraph (6)	第三十条第三項又は第六項 Article 30, paragraph (3) or paragraph (6)
	当該対内直接投資等 the inward direct investment, etc.	当該技術導入契約の締結等 the conclusion of a technology introduction contract, etc.
	対内直接投資等を行う make an inward direct investment, etc.	技術導入契約の締結等をする effect the conclusion of a technology introduction contract, etc.
第二十七条第十項 Article 27, paragraph (10)	第五項 paragraph (5)	第三十条第五項 Article 30, paragraph (5)
	対内直接投資等に係る内容 content pertaining to the inward direct investment, etc.	技術導入契約の締結等に係る条項の全部若しくは一部 all or part of the clause pertaining to the conclusion of a technology introduction contract, etc.
	第三項又は第六項 paragraph (3) or paragraph (6)	同条第三項又は第六項 paragraph (3) or paragraph (6) of the same Article

<p>第二十七条第十一項 Article 27, paragraph (11)</p>	<p>第一項の規定による届出に係る対内直接投資等が国の安全等に係る対内直接投資等 inward direct investment, etc. pertaining to a notification pursuant to the provision of paragraph (1)inward direct investment, etc. pertaining to national security, etc.</p>	<p>第三十条第一項の規定による届出に係る技術導入契約の締結等が同条第三項に規定する国の安全等に係る技術導入契約の締結等 the conclusion of a technology introduction contract, etc. under a notification pursuant to the provisions of Article 30, paragraph (1).....conclusion of a technology introduction contract, etc. involving national security, etc. prescribed in paragraph (3) of the same Article</p>
	<p>対内直接投資等に係る内容 content pertaining to inward direct investment, etc.</p>	<p>技術導入契約の締結等に係る条項の全部若しくは一部 all or part of the clause pertaining to the conclusion of a technology introduction contract, etc.</p>
<p>第二十七条第十二項 Article 27, paragraph (12)</p>	<p>第五項から前項までに定めるもののほか、対内直接投資等に係る内容 In addition to what is prescribed in paragraph (5) to paragraph (11) inclusive, content pertaining to inward direct investment, etc.</p>	<p>第七項から前項まで並びに第三十条第五項及び第六項に定めるもののほか、技術導入契約の締結等に係る条項の全部若しくは一部 In addition to what is prescribed in paragraph (7) to the preceding paragraph inclusive and Article 30, paragraph (5) and paragraph (6),all or part of the clause pertaining to the conclusion of a technology introduction contract, etc.</p>

(適用除外)

(Exclusion from Application)

第六条の二 法第三十条第八項に規定する政令で定める技術導入契約の締結等は、事業の経営に関する技術の指導に係る技術導入契約の締結等とする。

Article 6-2 The conclusion, etc. of a technology introduction contract to be specified by a Cabinet Order that is referred to in Article 30, paragraph (8) shall be the conclusion, etc. of a technology introduction contract pertaining to technological guidance related to business operations.

第三章の二 報告

Chapter III-2 Reports

(対内直接投資等の報告)

(Report of Inward Direct Investment, etc.)

第六条の三 法第五十五条の五第一項の規定による報告は、対内直接投資等を行った日

の属する月の翌月十五日までに、主務省令で定める手続により、しなければならない。
Article 6-3 (1) The report pursuant to the provisions of Article 55, paragraph (1) of the Act must be submitted based on the procedures to be specified by an ordinance of the competent ministry by the fifteenth day of the month following the month in which the date the inward direct investment was made falls.

2 法第五十五条の五第一項の規定による報告をしなければならない外国投資家が法第二十六条第一項第一号又は第二号に掲げるものに該当する場合には、当該外国投資家は、居住者である代理人により当該報告をしなければならない。

(2) If a foreign investor who must submit a notification pursuant to the provisions of Article 55, paragraph (1) of the Act falls under the cases listed in Article 26, paragraph (1), item (i) or item (ii), said foreign investor must submit said notification through an agent who is a resident.

3 法第五十五条の五第一項に規定する政令で定める事項は、次に掲げる事項とする。

(3) The matters to be specified by a Cabinet Order that are referred to in the provisions of Article 55, paragraph (1) of the Act are the following:

一 報告者の氏名、住所又は居所、国籍及び職業（法人その他の団体にあつては、その名称、主たる事務所の所在地、営んでいる事業の内容、資本金及び代表者の氏名）

(i) the name, domicile or residence, nationality, and occupation of the person submitting the report (or for a juridical person and other organization, its name, the location of its principal office, the content of the business it operates, its stated capital, and the name of its representative);

二 対内直接投資等に係る事業目的

(ii) the business purpose of the inward direct investment, etc.;

三 対内直接投資等の金額及び実行の日

(iii) the amount of inward direct investment, etc. and the date of its closing;

四 その他主務省令で定める事項

(iv) other matters to be specified by an ordinance of the competent ministry.

(技術導入契約の締結等の報告)

(Report of the Conclusion, etc. of a Technology Introduction Contract)

第六条の四 法第五十五条の六第一項の規定による報告は、技術導入契約の締結等をした日から起算して十五日以内に、主務省令で定める手続により、しなければならない。

Article 6-4 (1) The report pursuant to the provisions of Article 55-6, paragraph (1) of the Act must be submitted based on the procedures to be specified by an ordinance of the competent ministry within 15 days from the date on which the conclusion, etc. of a technology introduction contract was effected.

2 法第五十五条の六第二項に規定する政令で定める技術導入契約の締結等は、次に掲げる技術導入契約の締結等とする。

(2) The conclusion, etc. of a technology introduction contract to be specified by a Cabinet Order that is referred to in Article 55-6, paragraph (2), is the following

conclusion, etc. of a technology introduction contract:

一 事業の経営に関する技術の指導に係る技術導入契約の締結等

(i) the conclusion, etc. of a technology introduction contract pertaining to technological guidance related to business operations;

二 指定技術以外の技術導入契約の締結等

(ii) the conclusion, etc. of a technology introduction contract for technology other than specified technology.

(法第五十五条の八の規定に基づく報告)

(Report Pursuant to Article 55-8 of the Act)

第六条の五 財務大臣又は財務大臣及び事業所管大臣は、法第五十五条の八の規定に基づき、法第二十六条、法第二十七条、法第三十条、法第五十五条の五又は法第五十五条の六の規定及びこの政令の施行に必要な限度において、これらの規定の適用を受ける取引若しくは行為を行い、若しくは行つた者又は関係人に対し、当該取引又は行為の内容、実行の時期その他当該取引又は行為に関連する事項について報告を求める場合には、財務省令又は主務省令で定めるところにより、当該報告を求める事項を指定するものとする。

Article 6-5 (1) If to the extent necessary for enforcing the provisions of Article 26, Article 27, Article 30, Article 55-5, or Article 55-6 of the Act and this Cabinet Order, pursuant to the provisions of Article 55-8 of the Act, the relevant persons or the person conducting or having conducted a transaction or engaging in or having engaged in an act governed by these provisions is required to submit a report on the content of the transaction or act, the timing of its implementation, and other matters related to said transaction or act, the Minister of Finance or the Minister of Finance and the minister having jurisdiction over the business shall designate the matters on which the person or persons are required to report pursuant to what is specified by an ordinance of the Ministry of Finance or by an ordinance of the competent ministry.

2 前項の規定により指定された事項の報告を求められた者は、財務省令又は主務省令で定める手続により、当該報告をしなければならない。

(2) A person who is required to submit a report on the matters designated under the preceding paragraph shall submit said report pursuant to the procedures to be specified by an ordinance of the Ministry of Finance or an ordinance of the competent ministry.

第四章 雑則

Chapter IV Miscellaneous Provisions

(事業所管大臣)

(Minister Having Jurisdiction Over the Business)

第七条 法及びこの政令における事業所管大臣は、次の各号に掲げる事項の区分に応じ、

当該各号に定める大臣とする。

Article 7 The minister having jurisdiction over the business under the Act and this Cabinet Order, is the minister specified in each of the following items for the category of subject matter listed in the relevant item:

一 会社（特別の法律により設立された法人を含む。）の株式若しくは持分の取得若しくは譲渡若しくは株式への一任運用又は事業目的の実質的な変更に関する事項
当該会社の営む事業の所管大臣（その子会社又は第三条第二項第一号に規定する主務省令で定めるものが同号に規定する主務省令で定める業種に属する事業を営んでいる場合にあつては、当該事業の所管大臣を含む。第五号において同じ。）

(i) subject matter concerning the acquisition or transfer of the shares or equity, or discretionary investment in shares, of a company (including a juridical person established pursuant to a special Act) or a substantial change of its business purpose: the minister having jurisdiction over the business which said company operates (if the company's subsidiary or any of those to be specified by an ordinance of the competent ministry as prescribed in Article 3, paragraph (2), item (i) operates a business in the business types to be specified by an ordinance of the competent ministry as prescribed in the same item, this includes the minister having jurisdiction over said business; the same applies in item (v));

二 本邦における支店等の設置又は本邦にある支店等の種類若しくは事業目的の実質的な変更に関する事項 当該支店等の営む事業の所管大臣

(ii) subject matter concerning the establishment of a branch office, etc. in Japan or a substantial change in the kind of branch office, etc. or its business purpose: the minister having jurisdiction over the business which said branch office, etc. operates;

三 本邦に主たる事務所を有する法人に対する金銭の貸付けに関する事項 当該法人の営む事業の所管大臣

(iii) subject matter concerning loans made to a juridical person having its principal office in Japan: the minister having jurisdiction over the business which said juridical person operates;

四 技術導入契約の締結等に関する事項 当該技術導入契約の締結等に係る技術を受け入れる事業の所管大臣

(iv) subject matter concerning the conclusion, etc. of a technology introduction contract: the minister having jurisdiction over the business of accepting the technology pertaining to said conclusion, etc. of a technology introduction contract;

五 会社の発行する社債の取得に関する事項 当該会社の営む事業の所管大臣

(v) subject matter concerning the acquisition of bonds issued by a company: the minister having jurisdiction over the business which said company operates.

(主務省令)

(Ordinance of the Competent Ministry)

第七条の二 この政令における主務省令は、財務大臣及び事業所管大臣の発する命令とする。

Article 7-2 Ordinances of the competent ministry under this Cabinet Order are orders that the Minister of Finance and the minister having jurisdiction over the business issue.

(告示の方法)

(Means of Public Notice)

第八条 この政令の規定に基づく告示は、官報で行う。

Article 8 Public notices prescribed in this Cabinet Order are issued through the official gazette.

(換算の方法)

(Method of Conversion)

第九条 法（第五章、第五十五条の五、第五十五条の六及び第五十五条の八（この政令の第六条の五に係る部分に限る。次条において同じ。）に限る。）及びこの政令並びにこれらに基づく命令の規定を適用する場合における外国通貨の本邦通貨への換算は、主務省令で定める区分に応じ主務省令で定める方法による場合を除き、当該規定においてその額について当該換算をすべき取引又は行為が行われる日における法第七条第一項に規定する基準外国為替相場又は裁定外国為替相場を用いて行うものとする。

Article 9 The conversion of a foreign currency to Japanese currency in the cases where the provisions of the Act (limited to Chapter V, Article 55-5, Article 55-6 and Article 55-8 (limited to the part pertaining to Article 6-5 of this Cabinet Order; hereinafter the same applies in the next Article)), this Cabinet Order and the order based thereon apply, shall be made by using the basic foreign exchange rate or arbitrated foreign exchange rate prescribed in Article 7, paragraph (1) of the Act as of the day on which a transaction is conducted or an act is taken in which a conversion should be made concerning the amount under said provisions, except where the conversion is made using the method specified by an ordinance of the competent ministry in accordance with the classifications specified by an ordinance of the competent ministry.

(事務の委任)

(Delegation of Affairs)

第十条 財務大臣又は財務大臣及び事業所管大臣が法第六十九条第一項の規定に基づき日本銀行に取り扱わせる法（第五章、第五十五条の五、第五十五条の六及び第五十五条の八に限る。）の施行に関する事務は、次に掲げる事務とする。ただし、財務大臣又は財務大臣及び事業所管大臣が必要と認めるときは、財務省令又は主務省令で定めるところにより、自らその事務を取り扱うことを妨げない。

Article 10 The affairs related to the enforcement of the Act (limited to Chapter V,

Article 55-5, Article 55-6 and Article 55-8) which the Minister of Finance or the Minister of Finance and the minister having jurisdiction over the business have the Bank of Japan handle pursuant to the provisions of Article 69, paragraph (1) of the Act are the following affairs; provided, however, that when the Minister of Finance or the Minister of Finance and the minister having jurisdiction over the business find necessary, this does not preclude them from handling said affairs of their own accord pursuant to an ordinance of the Ministry of Finance or an ordinance of the competent ministry:

- 一 法第二十七条第一項及び法第三十条第一項の規定に基づく届出の受理
 - (i) acceptance of a notification pursuant to the provisions of Article 27, paragraph (1) and Article 30, paragraph (1) of the Act;
- 二 法第二十七条第二項及び第四項並びに法第三十条第二項及び第四項の規定に基づく期間の短縮の通知その他当該期間の短縮に関する事務で財務大臣及び事業所管大臣が定めるもの
 - (ii) notice of the shortening of the period pursuant to the provisions of Article 27, paragraph (2) and paragraph (4) and Article 30, paragraph (2) and paragraph (4) of the Act and other affairs related to said shortening of the period, as is specified by the Minister of Finance and the minister having jurisdiction over the business;
- 三 法第二十七条第三項及び第六項並びに法第三十条第三項及び第六項の規定に基づく延長の期間を記載した文書の送付
 - (iii) the sending of the document that notes the extension of the period pursuant to the provisions of Article 27, paragraph (3) and paragraph (7) and Article 30, paragraph (3) and paragraph (6) of the Act;
- 四 法第二十七条第五項及び法第三十条第五項の規定に基づく勧告の内容を記載した文書の送付
 - (iv) the sending of the document that notes the content of a recommendation pursuant to the provisions of Article 27, paragraph (5) and Article 30, paragraph (5) of the Act;
- 五 法第二十七条第七項（法第三十条第七項において準用する場合を含む。）の規定に基づく応諾に関する通知の受理
 - (v) acceptance of the notice relating to the compliance pursuant to the provisions of Article 27, paragraph (7) of the Act (including when applied mutatis mutandis pursuant to Article 30, paragraph (7) of the Act);
- 六 法第二十七条第十項（法第三十条第七項において準用する場合を含む。）の規定に基づく命令の内容を記載した文書の送付
 - (vi) the sending of the document that notes the content of an order pursuant to the provisions of Article 27, paragraph (10) of the Act (including when applied mutatis mutandis pursuant to Article 30, paragraph (7) of the Act);
- 七 法第二十七条第十一項（法第三十条第七項において準用する場合を含む。）の規定に基づく取消しの通知

- (vii) notice of the rescission pursuant to the provisions of Article 27, paragraph (11) (including when it is applied mutatis mutandis pursuant to Article 30, paragraph (7) of the Act);
- 八 法第五十五条の五第一項及び法第五十五条の六第一項の規定に基づく報告の受理
- (viii) acceptance of the report pursuant to the provisions of Article 55-5, paragraph (1) and Article 55-6, paragraph (1) of the Act;
- 九 第三条第九項（同条第十三項並びに第五条第六項及び第八項において準用する場合を含む。）の規定に基づく記録の作成
- (ix) preparation of the record pursuant to the provisions of Article 3, paragraph (9) (including when applied mutatis mutandis pursuant to paragraph (13) of the same Article and Article 5, paragraph (6) and paragraph (8));
- 十 第六条の五の規定に基づく報告の受理
- (x) acceptance of the report pursuant to the provisions of Article 6-5;
- 十一 前各号に掲げる事務に附帯する事務
- (xi) affairs incidental to the affairs listed in the preceding items.

附 則

Supplementary Provisions

(施行期日)

(Date of Enforcement)

第一条 この政令は、外国為替及び外国貿易管理法の一部を改正する法律（昭和五十四年法律第六十五号）の施行の日（昭和五十五年十二月一日）から施行する。

Article 1 This Cabinet Order comes into force as of the date of enforcement (December 1, 1980) of the Act Partially Revising the Foreign Exchange and Foreign Trade Control Act (Act No. 65 of 1979).

(外資に関する法律の規定に基く認可の基準の特例等に関する政令等の廃止)

(Repeal of the Cabinet Order on Special Provisions on Approval Standards, etc. pursuant to the Provisions of the Act on Foreign Capital)

第二条 次に掲げる政令は、廃止する。

Article 2 The following Cabinet Orders are hereby repealed:

一 外資に関する法律第二十条の規定による聴聞の手續に関する政令（昭和二十五年政令第百八十二号）

(i) Cabinet Order on Hearing Procedures Pursuant to the Provisions of Article 20 of the Act on Foreign Capital (Cabinet Order No. 182 of 1950);

二 外資に関する法律の規定に基く認可の基準の特例等に関する政令（昭和二十七年政令第二百二十一号）

(ii) Cabinet Order on Special Provisions on Approval Standards, etc. Pursuant to the Provisions of the Act on Foreign Capital (Cabinet Order No. 221 of 1952);

三 外資に関する法律の規定により日本銀行に取り扱わせる事務の範囲を定める政令
(昭和二十七年政令第四百十二号)

(iii) Cabinet Order Specifying the Scope of Affairs That the Bank of Japan Is to
Handle Pursuant to the Act on Foreign Capital (Cabinet Order No. 412 of
1952);

四 外国投資家預金勘定に関する政令 (昭和二十七年政令第四百二十七号)

(iv) Cabinet Order on the Deposit Accounts of Foreign Investors (Cabinet Order
No. 427 of 1952).

(経過措置)

(Transitional Measures)

第三条 外国為替管理令(昭和五十五年政令第二百六十号。以下「新管理令」とい
う。)による廃止前の外国為替管理令(昭和二十五年政令第二百三十三号。次項において
「旧管理令」という。)第十七条又は第二十六条の規定に基づき認められ又は許可を
受けた取引又は行為については、新管理令附則第三条第一項の規定の定めるところに
よる。

Article 3 (1) The transactions or acts recognized or permitted pursuant to the
provisions of Article 17 or 26 of the Foreign Exchange Control Order (Cabinet
Order No. 203 of 1950, hereinafter referred to as the "Former Control Order" in
the next paragraph) prior to its repeal by the Foreign Exchange Control Order
(Cabinet Order No. 260 of 1980, hereinafter referred to as the "New Control
Order") are governed by the provisions of Article 3, paragraph (1) of the
Supplementary Provisions of the New Control Order.

2 この政令の施行の際現に旧管理令第十七条の規定によりされている許可の申請に係
る取引又は行為のうち外国為替及び外国貿易管理法の一部を改正する法律(以下「改
正法」という。)による改正後の法(以下この項において「新法」という。)第二十
九条第一項の規定により届け出なければならないものについては、当該申請は、この
政令の施行の日(以下「施行日」という。)に同項の規定によりされた届出とみなし
て、新法(第三章、第四章及び第六章を除く。)及びこの政令の規定を適用する。

(2) Among the transactions or acts pertaining to an application for permission
that have actually taken place pursuant to the provisions of Article 17 of the
Former Control Order at the time of the enforcement of this Cabinet Order,
with regard to those for which a notification must be submitted pursuant to the
provisions of Article 29, paragraph (1) of the Act after its revision (hereinafter
referred to as the "New Act" in this paragraph) by the Act Partially Revising
the Foreign Exchange and Foreign Trade Control Act (hereinafter referred to
as the "Revisionary Act"), said application is deemed to be the notification
submitted pursuant to the provisions of the same paragraph on the date of
enforcement of this Cabinet Order (hereinafter referred to as the "date of
enforcement"), and the New Act (excluding Chapters III, IV and VI) and the
provisions of this Cabinet Order apply.

第四条 法第十一条に規定する外国為替公認銀行が改正法による廃止前の外資に関する法律（昭和二十五年法律第百六十三号。以下「旧外資法」という。）第九条の二第一項の規定により開設された外国投資家預金勘定の施行日の前日における残高を他の預金勘定と区分して経理する場合には、当該残高が区分して経理されている間、当該外国投資家預金勘定の残高の払戻しについては、新管理令第十一条の規定は、適用しない。

Article 4 If a bank authorized to conduct foreign exchange operations prescribed in Article 11 of the Act treats separately in terms of accounting from other deposit accounts, as of the day prior to the date of enforcement, the outstanding balance of a foreign investor's deposit account which was opened pursuant to the provisions of Article 9-2, paragraph (1) of the Act on Foreign Capital (Act No. 163 of 1950; hereinafter referred to as the "Former Foreign Capital Act") prior to its revision by the Revisionary Act, with regard to the refund of the outstanding balance of said foreign investor's deposit account, the provisions of Article 11 of the New Control Order do not apply while said outstanding balance is being separately treated in terms of accounting.

第五条 旧外資法の規定による認可、指定又は確認に際して旧外資法第十四条第一項の規定により付された条件については、あらかじめ主務大臣（旧外資法の規定による主務大臣をいう。）の承認を受けるべき旨を定めている条件のうち施行日において大蔵大臣及び事業所管大臣（第十一条の規定による事業所管大臣をいう。）が指定するものに限り、この政令の施行後においても、なお効力を有するものとし、その他の条件は、この政令の施行後においては、効力を失うものとする。

Article 5 With regard to the conditions attached pursuant to the provisions of Article 14, paragraph (1) of the Former Foreign Capital Act at the time of the approval, designation or confirmation prescribed in the Former Foreign Capital Act, of the conditions which require that approval be obtained in advance from the competent minister (which means the competent minister prescribed in the Former Foreign Capital Act), only those which the Minister of Finance and the minister having jurisdiction over the business (which means the minister having jurisdiction over the business pursuant to the provision of Article 11) designate on the date of enforcement shall remain in force even after the enforcement of this Cabinet Order, and the other conditions shall lose their effect after the enforcement of this Cabinet Order.

第六条 この政令の施行の際現に旧外資法第十条、第十一条第一項、第十二条第一項、第十三条第一項、第十三条の二又は第十三条の三の規定によりされている申請又は届出に係る取引又は行為については、この政令による廃止前の外資に関する法律の規定に基く認可の基準の特例等に関する政令（以下「旧特例政令」という。）及び外資に関する法律の規定により日本銀行に取り扱わせる事務の範囲を定める政令（以下「旧

委任政令」という。) は、この政令の施行後においても、なお効力を有する。

Article 6 With regard to the transactions or acts pertaining to an application or a notification which have actually been made pursuant to the provisions of Article 10, Article 11, paragraph (1), Article 12, paragraph (1), Article 13, paragraph (1), Article 13-2 or Article 13-3 of the Former Foreign Capital Act at the time of the enforcement of this Cabinet Order, the Cabinet Order on Special Provisions on Approval Standards, etc. Pursuant to the Provisions of the Act on Foreign Capital (hereinafter referred to as "Former Cabinet Order on Special Provisions") and Cabinet Order Specifying the Scope of Affairs That the Bank of Japan Is to Handle Pursuant to the Act on Foreign Capital (hereinafter referred to as "Former Cabinet Order on Delegation") prior to their repeal by this Cabinet Order shall still remain in force even after the enforcement of this Cabinet Order.

第七条 旧外資法第十三条の二に規定する株式等又は旧外資法第十三条の三に規定する対価等若しくは対価等の請求権でその取得の日が施行日前であるものについては、旧特例政令第五条並びに旧委任政令第七号、第八号及び第十二号の規定は、この政令の施行後においても、なお効力を有する。

Article 7 With regard to the shares, etc. prescribed in Article 13-2 of the Former Foreign Capital Act or the consideration, etc. or the right to the consideration, etc. prescribed in Article 13-3 of Former Foreign Capital Act of which their date of acquisition is earlier than the date of enforcement, the provisions of Article 5 of the Former Cabinet Order on Special Provisions and the provisions of item (vii), item (viii) and item (xii) of the Former Cabinet Order on Delegation remain in force even after the enforcement of this Cabinet Order.

(厚生省組織令の一部改正)

(Partial Revision of Order for Organization of Ministry of Health and Welfare)

第八条 厚生省組織令（昭和二十七年政令第三百八十八号）の一部を次のように改正する。

Article 8 Order for Organization of Ministry of Health and Welfare (Cabinet Order No. 388 of 1952) is partially revised as follows.

第三十四条第三号中「外資に関する法律（昭和二十五年法律第百六十三号）」を「外国為替及び外国貿易管理法（昭和二十四年法律第二百二十八号）」に改める。

"Act on Foreign Capital (Act No. 163 of 1950)" in Article 34, paragraph (3) is replaced with "Foreign Exchange and Foreign Trade Control Act (Act No. 228 of 1949)."

(通商産業省組織令の一部改正)

(Partial Revision of Order for Organization of Ministry of International Trade and Industry)

第九条 通商産業省組織令（昭和二十七年政令第三百九十号）の一部を次のように改正する。

Article 9 Order for Organization of Ministry of International Trade and Industry (Cabinet Order No. 390 of 1952) is partially revised as follows.

第四十三条第二号中「技術援助契約」を「技術導入契約」に、「行なう」を「行う」に改め、同条第三号中「財産の取得」を「財産の取得等」に、「行なう」を「行う」に改める。

"Technical assistance contract" in Article 43, item (ii) is replaced with "Technology Introduction Contract," and "acquisition of property" in item (iii) of the same Article with "acquisition of property, etc."

(運輸省組織令の一部改正)

(Partial Revision of Order for Organization of Ministry of Transport)

第十条 運輸省組織令（昭和二十七年政令第三百九十一号）の一部を次のように改正する。

Article 10 Order for Organization of Ministry of Transport (Cabinet Order No. 391 of 1952) is partially revised as follows.

運輸省組織令第一章中「株式等の取得」を「株式の取得等」に、「技術援助契約」を「技術導入契約」に改める。

"Acquisition of shares, etc." and "technical assistance contract" in Chapter I of the Order for Organization of Ministry of Transport is replaced with "acquisition, etc. of shares" and "Technology Introduction Contract," respectively.

附 則 〔昭和五十六年九月二十六日政令第二百九十一号〕

Supplementary Provisions [Cabinet Order No. 291 of September 26, 1981]

この政令は、昭和五十六年十月一日から施行する。

This Cabinet Order comes into force as of October 1, 1981.

附 則 〔昭和五十七年三月二十七日政令第四十八号〕〔抄〕

Supplementary Provisions [Cabinet Order No. 48 of March 27, 1982]

[Extract]

1 この政令は、銀行法の施行の日（昭和五十七年四月一日）から施行する。

(1) This Cabinet Order comes into force as of the date of enforcement of the Banking Act (April 1, 1982).

附 則 〔昭和五十九年六月十九日政令第九十五号〕

Supplementary Provisions [Cabinet Order No. 195 of June 19, 1984]

この政令は、調和ある対外経済関係の形成を図るための国際通貨基金及び国際復興開発銀行への加盟に伴う措置に関する法律等の一部を改正する法律第五条の規定の施行の日（昭和五十九年七月一日）から施行する。

This Cabinet Order comes into force as of the date of enforcement of the provision of Article 5 of the Act Partially Revising the Act on Measures Accompanying the Accession to the International Monetary Fund and International Bank for Reconstruction and Development for the Purpose of Forming a Harmonized Foreign Economic Relationship (July 1, 1984).

附 則 〔平成三年三月二十五日政令第四十八号〕

Supplementary Provisions [Cabinet Order No. 48 of March 25, 1991]

（施行期日）

（Date of Enforcement）

1 この政令は、平成三年四月一日から施行する。

(1) This Cabinet Order comes into force as of April 1, 1991.

（対内直接投資等に関する政令の一部改正に伴う経過措置）

（Transitional Measures Accompanying the Partial Revision of the Cabinet Order on Inward Direct Investment, etc.）

2 商法等の一部を改正する法律（平成二年法律第六十四号）附則第十一条の規定によりなお従前の例によることとされる新株の発行に際し第四条の規定による改正前の対内直接投資等に関する政令第二条第十三項第三号に規定する新株を取得する場合及び同法附則第十七条の規定によりなお従前の例によることとされる利益の処分により同項第五号に規定する新株を取得する場合については、なお従前の例による。

(2) If new shares prescribed in Article 2, paragraph (13), item (ii) of the Cabinet Order on Inward Direct Investment, etc. prior to the revision by the provisions of Article 4 are acquired upon the issue of new shares for which the provisions then in force still remain applicable pursuant to the provisions of Supplementary Provisions, Article 11 of the Act Partially Revising the Commercial Code, etc. (Act No. 64 of 1990), and if new shares prescribed in the provisions of item (v) of the same paragraph are acquired by way of appropriation of profit for which the provisions then in force still remain applicable pursuant to the provisions of Supplementary Provisions, Article 17 of the same Act, the provisions then in force remain applicable.

3 この政令の施行前にした行為に対する罰則の適用については、なお従前の例による。

(3) With regard to the application of penal provisions to acts that took place prior to the enforcement of this Cabinet Order, the provisions then in force remain applicable.

附 則 〔平成三年十一月二十七日政令第三百五十四号〕

Supplementary Provisions [Cabinet Order No. 354 of November 27, 1991]

(施行期日)

(Date of Enforcement)

1 この政令は、外国為替及び外国貿易管理法の一部を改正する法律の施行の日（平成四年一月一日）から施行する。

(1) This Cabinet Order comes into force as of the date of enforcement of the Act Partially Revising the Foreign Exchange and Foreign Trade Control Act (January 1, 1992).

(経過措置)

(Transitional Measures)

2 この政令の施行前にした行為に対する罰則の適用については、なお従前の例による。

(2) With regard to the application of penal provisions to acts that took place prior to the enforcement of this Cabinet Order, the provisions then in force remain applicable.

附 則 [平成六年十二月二十六日政令第四百十一号] [抄]

**Supplementary Provisions [Cabinet Order No. 411 of December 26, 1994]
[Extract]**

(施行期日)

(Date of Enforcement)

第一条 この政令は、ガス事業法の一部を改正する法律（平成六年法律第四十二号）の施行の日（平成七年三月一日）から施行する。

Article 1 This Cabinet Order comes into force as of the date of enforcement (March 1, 1995) of the Act Partially Revising the Gas Business Act (Act No. 42 of 1994).

附 則 [平成六年十二月二十八日政令第四百十九号]

Supplementary Provisions [Cabinet Order No. 419 of December 28, 1994]

この政令は、世界貿易機関を先立するマラケシュ協定が日本国について効力を生ずる日から施行する。

This Cabinet Order comes into force as of the date on which the Marrakesh Agreement preceding the World Trade Organization comes into effect with regard to Japan.

附 則 [平成七年十月十八日政令第三百五十九号] [抄]

**Supplementary Provisions [Cabinet Order No. 359 of October 18, 1995]
[Extract]**

(施行期日)

(Date of Enforcement)

第一条 この政令は、電気事業法の一部を改正する法律（以下「改正法」という。）の施行の日（平成七年十二月一日）から施行する。

Article 1 This Cabinet Order comes into force as of the date of enforcement (December 1, 1995) of the Act Partially Revising the Electricity Business Act (hereinafter referred to as the "Revisionary Act").

附 則 [平成七年十二月二十二日政令第四百二十六号]

Supplementary Provisions [Cabinet Order No. 426 of December 22, 1995]

この政令は、保険業法の施行の日（平成八年四月一日）から施行する。

This Cabinet Order comes into force as of the date of enforcement of the Insurance Business Act (April 1, 1996).

附 則 [平成九年十二月二十五日政令第三百八十四号]

Supplementary Provisions [Cabinet Order No. 384 of December 25, 1997]

(施行期日)

(Date of Enforcement)

第一条 この政令は、外国為替及び外国貿易管理法の一部を改正する法律の施行の日（平成十年四月一日）から施行する。

Article 1 This Cabinet Order comes into force as of the date of enforcement of the Act Partially Revising the Foreign Exchange and Foreign Trade Control Act (April 1, 1998).

(経過措置)

(Transitional Measures)

第二条 改正後の対内直接投資等に関する政令第六条の四第二項の規定は、この政令の施行の日以後にする外国為替及び外国貿易法第三十条第一項に規定する技術導入契約の締結等（以下この条において「技術導入契約の締結等」という。）について適用し、同日前にした技術導入契約の締結等については、なお従前の例による。

Article 2 The provisions of Article 6-4, paragraph (2) of the Cabinet Order on Inward Direct Investment, etc. after its revision apply to the conclusion, etc. of a technology introduction contract prescribed in Article 31, paragraph (1) of the Foreign Exchange and Foreign Trade Act which will be effected after the date of enforcement of this Cabinet Order (hereinafter referred to as the "conclusion, etc. of a technology introduction contract" in this Article), and with regard to the conclusion, etc. of a technology introduction contract which was effected prior to said date, the provisions then in force remain applicable.

第三条 この政令の施行前にした行為及び前条の規定によりなお従前の例によることとされる事項に係るこの政令の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 3 With regard to the application of penal provisions to acts that took place prior to the enforcement of this Cabinet Order and to acts that took place after the enforcement of this Cabinet Order pertaining to matters for which the provisions then in force are to remain applicable pursuant to the provisions of the preceding Article, the provisions then in force remain applicable.

附 則 〔平成十一年十二月二十七日政令第四百三十一号〕 〔抄〕
Supplementary Provisions [Cabinet Order No. 431 of December 27, 1999]
[Extract]

(施行期日)

(Date of Enforcement)

第一条 この政令は、平成十二年三月二十一日から施行する。

Article 1 This Cabinet Order comes into force as of March 21, 2000.

附 則 〔平成十二年六月七日政令第三百七号〕 〔抄〕
Supplementary Provisions [Cabinet Order No. 307 of June 7, 2000]
[Extract]

(施行期日)

(Date of Enforcement)

第一条 この政令は、平成十三年一月六日から施行する。

Article 1 This Cabinet Order comes into force as of January 6, 2001.

附 則 〔平成十三年三月二十八日政令第七十七号〕
Supplementary Provisions [Cabinet Order No. 77 of March 28, 2001]

(施行期日)

(Date of Enforcement)

1 この政令は、公布の日から施行する。ただし、第三条第一項の改正規定は、平成十三年四月一日から施行する。

(1) This Cabinet Order comes into force as of the date of its promulgation; provided, however, that the revisionary provisions of Article 3, paragraph (1) come into force as of April 1, 2001.

(経過措置)

(Transitional Measures)

2 改正後の対内直接投資等に関する政令第六条の四第二項の規定は、この政令の施行の日以後にする外国為替及び外国貿易法第三十条第一項に規定する技術導入契約の締結等（以下この項において「技術導入契約の締結等」という。）について適用し、同日前にした技術導入契約の締結等については、なお従前の例による。

(2) The provisions of Article 6-4, paragraph (2) of the Cabinet Order on Inward Direct Investment, etc. after its revision apply to the conclusion, etc. of a technology introduction contract prescribed in Article 31, paragraph (1) of the Foreign Exchange and Foreign Trade Act which is effected after the date of enforcement of this Cabinet Order (hereinafter referred to as the "conclusion, etc. of a technology introduction contract" in this paragraph), and with regard to the conclusion, etc. of a technology introduction contract which was effected prior to said date, the provisions then in force remain applicable.

3 この政令の施行前にした行為及び前項の規定によりなお従前の例によることとされる事項に係るこの政令の施行後にした行為に対する罰則の適用については、なお従前の例による。

(3) With regard to the application of penal provisions to acts that took place prior to the enforcement of this Cabinet Order and to acts that took place after the enforcement of this Cabinet Order pertaining to matters for which the provisions then in force are to remain applicable pursuant to the provisions of the preceding paragraph, the provisions then in force remain applicable.

附 則 〔平成十四年三月二十日政令第五十四号〕

Supplementary Provisions [Cabinet Order No. 54 of March 20, 2002]

(施行期日)

(Date of Enforcement)

1 この政令は、平成十四年四月一日から施行する。

(1) This Cabinet Order comes into force as of April 1, 2002.

(転換社債等に関する経過措置)

(Transitional Measures Concerning Convertible Bonds)

2 商法等の一部を改正する法律（平成十三年法律第二百二十八号）附則第七条の規定によりなお従前の例によることとされる転換社債又は新株引受権付社債に係るこの政令による改正前の対内直接投資等に関する政令第三条第一項第六号及び第七号に規定する新株の取得については、なお従前の例による。

(2) With regard to the acquisition of new shares prescribed in the provisions of Article 3, paragraph (1), item (vi) and item (vii) of the Cabinet Order on Inward Direct Investment prior to its revision by this Cabinet Order pertaining to convertible bonds and bonds with preemptive rights for which the provisions then in force are to remain applicable pursuant to the Supplementary Provisions, Article 7 of the Act Partially Revising the Commercial Code, etc.

(Act No. 128 of 2001), the provisions then in force remain applicable.

附 則 〔平成十四年十二月十八日政令第三百八十六号〕 〔抄〕
Supplementary Provisions [Cabinet Order No. 386 of December 18, 2002]
[Extract]

(施行期日)

(Date of Enforcement)

第一条 この政令は、平成十五年四月一日から施行する。

Article 1 This Cabinet Order comes into force as of April 1, 2003.

附 則 〔平成十五年十二月三日政令第四百七十六号〕 〔抄〕
Supplementary Provisions [Cabinet Order No. 476 of December 3, 2003]
[Extract]

この政令は、平成十六年四月一日から施行する。

This Cabinet Order comes into force as of April 1, 2004.

附 則 〔平成十六年十二月二十八日政令第四百二十九号〕 〔抄〕
Supplementary Provisions [Cabinet Order No. 429 of December 28, 2004]
[Extract]

(施行期日)

(Date of Enforcement)

第一条 この政令は、法の施行の日（平成十六年十二月三十日）から施行する。

Article 1 This Cabinet Order comes into force as of the date of enforcement of the Act (December 30, 2004).

附 則 〔平成十八年三月十七日政令第四十二号〕
Supplementary Provisions [Cabinet Order No. 42 of March 17, 2006]

この政令は、会社法の施行の日から施行する。

This Cabinet Order comes into force as of the date of enforcement of the Companies Act.

附 則 〔平成十九年八月三日政令第二百三十三号〕 〔抄〕
Supplementary Provisions [Cabinet Order No. 233 of August 3, 2007]
[Extract]

(施行期日)

(Date of Enforcement)

第一条 この政令は、改正法の施行の日から施行する。

Article 1 This Cabinet Order comes into force as of the date of enforcement of the Revisionary Act.

(罰則の適用に関する経過措置)

(Transitional Measures Concerning Application of Penal Provisions)

第六十四条 施行日前にした行為及びこの附則の規定によりなお従前の例によることとされる場合における施行日以後にした行為に対する罰則の適用については、なお従前の例による。

Article 64 With regard to the application of penal provisions to acts that took place prior to the date of enforcement of this Cabinet Order and to acts that took place after the date of enforcement of this Cabinet Order pertaining to matters for which the provisions then in force are to remain applicable pursuant to the provisions of the Supplementary Provisions, the provisions then in force remain applicable.

附 則 [平成十九年九月七日政令第二百八十号]

Supplementary Provisions [Cabinet Order No. 280 of September 7, 2007]

(施行期日)

(Date of Enforcement)

1 この政令は、平成十九年九月二十八日から施行する。

(1) This Cabinet Order comes into force as of September 28, 2007.

(経過措置)

(Transitional Measures)

2 この政令の施行の前日に外国為替及び外国貿易法第二十七条第一項の規定によりされた届出及び同法第五十五条の五第一項の規定によりされた報告に係る同法第二十六条第二項に規定する対内直接投資等については、なお従前の例による。

(2) With regard to inward direct investment, etc. prescribed in Article 26, paragraph (2) of the Foreign Exchange and Foreign Trade Act that pertains to a notification submitted pursuant to Article 27, paragraph (1) of the same Act or a report submitted pursuant to Article 55-5, paragraph (1) of the same Act prior to the date of enforcement of this Cabinet Order, the provisions then in force remain applicable.

3 この政令の施行前にした行為及び前項の規定によりなお従前の例によることとされる事項に係るこの政令の施行後にした行為に対する罰則の適用については、なお従前の例による。

(3) With regard to the application of penal provisions to acts that took place prior to the enforcement of this Cabinet Order and to acts that took place after the enforcement of this Cabinet Order pertaining to matters for which the

provisions then in force are to remain applicable pursuant to the provisions of the preceding paragraph, the provisions then in force remain applicable.